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Re'd: January 24, 1959  
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FROM: Paris

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TO: Secretary of State

NO: POLTO 2073, January 24, 3 p.m.

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Spaak, after some hesitation, has asked me to transmit to you his very confidential "innermost thoughts" on German problem, contained in following. You will note that this carries further the ideas contained in the Spaak paper distributed in NATO (POLTO 2045). I am transmitting his private paper beginning para. VII, since first six paras. are virtually identical with first six paras. POLTO 2045. Spaak realizes after some discussion that thesis advanced in this paper has grave political implications in Germany, and may be impractical; but he wanted you to have it nevertheless. He has been doing a great deal of thinking on this matter, without, I think, reaching firm conclusions as yet.

Quote VII. What should we attempt?

We should certainly reaffirm our fundamental position on the German problem as a whole.

While remaining intransigent with respect to the problem of reunification on the basis of free elections, we can take a bolder stand on the problem of European security. We might perhaps take up again certain aspects of the policy of disengagement. We might offer arms control within a given zone. We might doubtless even accept the notion of non-aggression pact between NATO and the Warsaw Pact Organization.

We might, perhaps, even offer to begin by discussing what form European security might take, and not to proceed with German reunification.

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-2- POLTO 2073, January 24, 3 p.m. from Paris

reunification on the basis of free elections until after such an agreement has been reached.

While reiterating our stand, we might also put a certain number of questions to the Russians with a view to making them clarify their position: questions regarding what form a German Confederation might take; their concept of a democratic Germany; whether Germany would be deprived of all modern weapons, even those of a clearly defensive nature, etc.

I am extremely doubtful, however, of the success of such negotiation. Indeed, I consider that there is no chance whatever of the Russians agreeing to the disappearance of a Communist state as a result of genuinely free elections.

Then what? Would it not be preferable to acknowledge that in view of the impossibility of agreement on reunification in the present state of affairs, maintenance of the status quo for a certain period of time is the solution most compatible with the interests of the two parties?

In support of such a provisional solution, it seems to me that it would be necessary to point out to Federal Germany the considerable difficulties which would confront it in the event it had to negotiate a peace treaty.

The Soviet note is revealing on this point and constitutes a very interesting element of clarification.

Germany would have to take a stand on a body of extremely difficult problems: war liabilities, boundaries problem, demilitarization, neutralization, etc.

Moreover, all the Western countries would be in an embarrassing position, for it is no longer a question of their making peace with a former enemy, but with an ally.

It appears obvious that nothing is ripe (for action) in connection, and that the wise course is to prevent the question from

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-3- POLTO 2073, January 24, 3 p.m. from Paris  
from being raised.

This desirability of preserving the status quo might be presented by common accord as a provisional solution (to be applied) for ten years, for example.

In my opinion, such a an interval is favorable to us. Many things may change: progress in the question of disarmament, the evolution of the Communist world, the position occupied by China in world politics as a whole.

Such a solution would have the additional, and perhaps principal, advantage of extricating us from our present impasse and restoring a freedom of action now denied us.

VIII. I am very much afraid that if we attain no results with the German problem in general the problem of Berlin may come up again before us in a form we have been anxious to avoid, that is, as an isolated question.

It seems to me that nothing can prevent the Russians, if they really wish to do so, from handing their powers over to East Germany.

I venture to draw attention to a danger that I have seen approaching for a long time: While it is entirely possible for us to induce the European peoples to adopt an attitude of exemplary firmness to prevent the inhabitants of Berlin from being (2 words garbled). conversely, it will be very difficult, in my opinion, to induce the adoption of an equally firm attitude "to force the Russians to remain in Berlin."

I do not think that Western public opinion would support us in a conflict the sole purpose of which would be to determine who controls the routes of access to Berlin.

Nevertheless, I am coming more and more to believe that it is in that form

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2073, January 24, 3 p.m., from Paris

that form that the question will present itself. If the Russians hand over their powers to the East Germans, I should be very much surprised if the latter (1 word garbled) closed the routes of access to Berlin, at least in the beginning. It is more than probable that they would limit themselves to exercising themselves the controls we now accept on the part of the Russians. If we refuse, incidents may, of course, occur within the Soviet Zone. This is the worst possibility for us.

We are therefore confronted with a simple question. Shall we refuse under any circumstances to discuss with East Germany practical matters that may arise from Berlin's right to unobstructed communication with the free world?

I know that this is an extremely important question of principle for Federal Germany. I also know that it may be difficult to obtain support for an intransigent position on a point that one segment of European public opinion may consider of no great practical importance. At all events, I feel certain that there would not be Western unanimity.

What is important is not to allow Berlin in any case to be at the mercy of a Communist surprise attack. There is only one real guarantee against this, and that is United States presence in Berlin. The legal basis for such presence is of little importance, whether it be the post-war agreements concluded, or a new decision, or a mandate from the United Nations.

IX Time is passing. I consider it urgent for the powers directly responsible to clarify their position (one word garbled) communicate it to their allies.

We must now allow ourselves to be caught unawares or to make decisions without having calculated with precision the possible consequences thereof.

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